S.B.Criminal Misc. Petition No. 512/2002
(Bahadur Singh Vs. State of Rajasthan & Anr.)

Date of order : 11.07.2006

HON'BLE MR.H.R.PANWAR,J.

Mr. J.R.Beniwal for the petitioner.
Mr. Ashok Upadhyay, Public Prosecutor.
Mr. R.S.Chundawat for the non-petitioner No.2.

Heard learned counsel for the parties.

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No.78/2002 Police Station, Jahajpur.

On a plain reading of the FIR, it prima-facie discloses the cognizable offence.

Learned counsel for the petitioner submits that with regard to the very land, there had been many rounds of litigation between the parties and various orders are in favour of the petitioner and therefore, the investigation in the FIR would be an abuse of the process of the Court.

Having regard to the facts and circumstances of the case and the fact that the FIR prima-facie discloses the cognizable offence, I do not consider it a fit case to quash the FIR. However, it is open to the petitioner to file all those

documents and the decisions of various courts including of this Court in respect of the very land before the investigation agency and the police investigation agency to take note of the documents if filed by the petitioner and investigate the matter with regard to those documents also.

With these observations, the misc. petition is disposed of. Stay petition also stands disposed of.

(H.R.PANWAR), J.

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